



Mutual Data Services, Inc
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FCC
Washington D.C.

Re: NPRM 04-186

Mutual Data Services is a broadband ISP utilizing the unlicensed ISM and UNII bands. Our service area is one of difficult terrain and foliage issues. In regards to the possible usage of the TV whitespace bands for data/information connections, it is our opinion that spectrum should be set aside for Wireless ISP operations.

We would encourage the following:

1. Large enough spectrum to allow for competing companies to access with no interference. Unlike the 902-928 band that is very narrow.
2. Intelligent radio design to avoid interference. Defined channels with no option to consume the entire band for operation.
3. No indoor devices allowed. Make this a pure data/information band.
4. No mobile devices, fixed wireless systems only.
5. Meter reading /SCADA devices should not be allowed unless they follow the same rule/operation parameters. Currently, SCADA can operate in the 900 MHz band with different power levels and no regards to not interfere with other operators.
6. Registered operation not auctioned spectrum. Require operators to register for usage so that a database of known operators can be searched for an area. Keep the band available to all size companies.

We encourage the FCC to adopt rules to allow independent Wireless operators to continue to remain competitive in the markets they serve. Independent ISP's provide that "other" option for consumers when DSL or cable is the only choice. Having access to this spectrum will allow for higher throughput and better connectivity in rural areas.

Thank you,

Barry Buchholz Jr.
President